

PEARSON, J.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

JARRITT R. FORD,)	
)	CASE NO. 5:11cv575
Plaintiff,)	
)	
v.)	JUDGE BENITA Y. PEARSON
)	
DREW ALEXANDER, <i>et al.</i> ,)	
)	<u>MEMORANDUM OF OPINION AND</u>
Defendants.)	<u>ORDER</u> [Regarding ECF No. 51]

On November 6, 2012, Magistrate Judge Kathleen B. Burke issued a Report and Recommendation ([ECF No. 51](#)) recommending that Plaintiff's Motion for Summary Judgment ([ECF No. 28](#)) be denied, and that Defendants' Motion for Summary Judgment ([ECF No. 42](#)) be granted, thereby dismissing Plaintiff's Federal claims without prejudice for failure to exhaust administrative remedies. The Report also recommended that the Court decline to exercise supplemental jurisdiction over Plaintiff's remaining State law claims, and dismiss those claims without prejudice. [ECF No. 51 at 1.](#)

The Federal Magistrates Act requires a district court to conduct a *de novo* review only of those portions of a report and recommendation to which the parties have made an objection. [28 U.S.C. § 636\(b\)\(1\)\(C\)](#). Parties must file any objections to a report and recommendation within 14 days of service. [Id.](#); [Fed. R. Civ. P. 72\(b\)\(2\)](#). Failure to object within this time waives a party's right to appeal the district court's judgment. [Thomas v. Arn](#), 474 U.S. 140, 145 (1985); [United States v. Walters](#), 638 F.2d 947, 949-50 (6th Cir. 1981). Absent objection, a district court may adopt a magistrate judges report without review. *See* [Thomas](#), 474 U.S. at 149.

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In the instant case, objections to the Report and Recommendation were due by November 20, 2012. Plaintiff has not filed an Objection. The Court finds that the Report and Recommendation is supported by the record, and agrees with the magistrate judge's recommendation.

Accordingly, the Court adopts Magistrate Judge Burke's Report and Recommendation. [ECF No. 51](#). Plaintiff's Federal claims are dismissed without prejudice for failure to exhaust administrative remedies. The Court declines to accept supplemental jurisdiction over Plaintiff's remaining State law claims, and dismisses these claims without prejudice.

The Court certifies, pursuant to [28 U.S.C. § 1915\(a\)\(3\)](#), that an appeal from this decision could not be taken in good faith.

IT IS SO ORDERED.

November 27, 2012
Date

/s/ Benita Y. Pearson
Benita Y. Pearson
United States District Judge